

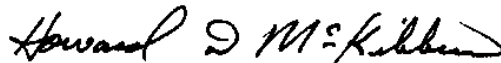
1 Defendant filed a motion (#100) seeking Discretionary Relief
2 pursuant to 18 U.S.C. § 3582(c)(2). The court does not find a
3 response from the United States Attorney's office is necessary for
4 a ruling on defendant's motion. At the original sentencing, the
5 court accepted a binding plea agreement in lieu of sentencing
6 defendant pursuant to the Career Offender provision. As defendant
7 avoided enhanced penalties as a Career Offender, pursuant to USSG §
8 4B1.1, as a result of the binding plea agreement, he is precluded
9 from relief.

10 Accordingly, defendant's motion to withdraw (#99) is **GRANTED**.

11 Furthermore, defendant's motion seeking Discretionary Relief
12 pursuant to 18 U.S.C. § 3582(c)(2) (#100) is **DENIED**.

13 IT IS SO ORDERED.

14 DATED: This 18th day of March, 2015.

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17 UNITED STATES DISTRICT JUDGE
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